



**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

February 19, 2025

By ECF

Honorable Naomi Reice Buchwald
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Justin et al. v. Tingling, 22-cv-10370 (NRB)

Dear Judge Buchwald:

The Office of Attorney General ("OAG") represents defendant the Hon. Milton Adair Tingling ("Justice Tingling"), sued in the above-referenced action (the "Action") in his official capacity as County Clerk of New York County and Commissioner of Jurors. In response to Justice Tingling's motion to dismiss the complaint herein (ECF Nos. 39-40, the "Previous Motion"), Plaintiffs filed an amended complaint (the "Amended Complaint," ECF No. 46) on February 12, 2025. Under Fed. R. Civ. P. 15(a)(3) and Section 2.B of the Court's Individual Practices, Justice Tingling must file a pre-motion letter with respect to an anticipated motion to dismiss by February 26, 2025, and is prepared to do so. In the alternative, considering the procedural history of the Action, the parties have conferred and respectfully request the following briefing schedule for a full motion to dismiss:

1. Justice Tingling's motion to dismiss to be filed on or before March 26, 2025;
2. Plaintiffs' opposition to be filed on or before May 2, 2025; and
3. Justice Tingling's reply to be filed on or before May 16, 2025.

Thank you for your continued consideration in this matter.

Respectfully submitted,

/s/ Anjali Bhat
ANJALI BHAT
Assistant Attorney General
212-416-8632
Anjali.Bhat@ag.ny.gov

ENDORSEMENT

*Given the approval of this
briefing schedule, the
motion to dismiss (ECF 39-40)
is denied as moot.*

*Naomi Reice Buchwald,
USDC
2/20/25*